



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of M.B., Correctional
Police Officer (S9988V), Department
of Corrections

CSC Docket No. 2018-3170

Medical Review Panel

ISSUED: JUNE 14, 2019 (DASV)

M.B. appeals her rejection as a Correctional Police Officer¹ candidate by the Department of Corrections and its request to remove her name from the eligible list for Correctional Police Officer (S9988V) on the basis of psychological unfitness to perform effectively the duties of the position.

This appeal was brought before the Medical Review Panel (Panel) on February 22, 2019, which rendered a report and recommendation. No exceptions were filed by the parties.

The report by the Panel discusses all submitted evaluations and the information obtained from the meeting. Dr. Krista Dettle, who had initially examined the appellant for the appointing authority, found that the appellant “evidenced significant concerns including poor stress tolerance and emotional dysregulation.” Dr. Dettle noted that, during the pre-appointment psychological interview, the appellant was emotional at times and had cried. The appellant also reported a history of insomnia and periods of depression. In that regard, the appellant endorsed several psychological test items as true statements, such as “There have been times in my life when I felt upset for no apparent reason, or seriously felt as if I were losing control of myself” and “I have had bad periods of depression in my life.” Furthermore, Dr. Dettle indicated that other psychological test data supported the concerns regarding the appellant’s candidacy for the

¹ Pursuant to *N.J.S.A.* 11A:2-11.1, effective May 1, 2018, the title of Correction Officer Recruit has been retitled to Correctional Police Officer.

position, including low scores in social adjustment and motivation and high scores in poor life management and personality problems. The appellant had been administered the Wonderlic Personnel Test, the Candidates and Officer Personnel Survey-Revised, and the Personality Assessment Inventory. Thus, Dr. Dettle did not recommend the appellant for a position as a Correctional Police Officer. However, the appellant submitted a report from Dr. James Cassidy, who provided the appellant with a second opinion as to her psychological fitness for the position. He stated that the appellant presented a stable psychosocial history, with no significant areas of concern regarding her family, educational, and employment history. Dr. Cassidy also noted that the appellant had no history of arrest or substance abuse and her mental health history was unremarkable. He had administered the Kaufman Brief Intelligence Test - Second Edition, the Personality Assessment Inventory, and Projective Drawings to the appellant. Therefore, he concluded that the appellant had “no overarching psychological concerns that would preclude [her] from successfully pursuing a career as a corrections officer.”

The Panel reviewed the evaluations in this matter and questioned the appellant regarding her two alleged job terminations during the Panel meeting. With respect to one of those terminations, the appellant maintained that she was not terminated, but rather, her hours were slowly cut back and she was eventually no longer on the schedule. Further, the appellant indicated that her credit had improved and her student loans have been paid in full. Moreover, the Panel inquired as to her presentation before Dr. Dettle. The appellant responded that she had been aware that her emotional dysregulation was “unusual and striking.” The appellant provided an “After Visit Summary” of her February 19, 2019 visit with Dr. Gary Heck, a physician with Cooper University Health Care. The document listed issues that had been addressed with the appellant during the visit, which included medical conditions and “Depression, unspecified depression type.” Dr. Heck instructed the appellant to “[r]eturn in about 3 months.” The appellant reported to the Panel that she meets with a psychiatric nurse every three months for medication, but she does not attend psychotherapy. However, the appellant denied any current depressed mood, suicidal ideations, or sleep difficulties. She stated that when her symptoms of depression had been present, she felt that “things were too hard, sadness that may or may not be warranted.” In addition, the Panel stated that she was “visibly anxious throughout” the Panel meeting and “wringing her hands incessantly.” Nonetheless, the Panel determined that the diagnosis of depression that was presented to the Panel was not available when the initial pre-appointment evaluations had been conducted for the appointing authority and the appellant. Therefore, the Panel recommended that the appellant undergo an independent psychological evaluation.

CONCLUSION

The Civil Service Commission (Commission) has reviewed the report and recommendation of the Panel, and having made an independent evaluation of the record, the Commission does not accept the Panel's recommendation to refer the appellant for independent evaluation. Rather, the Commission finds that the record supports removal of the appellant from the Correctional Police Officer (S9988V), Department of Corrections, eligible list on the basis of psychological unfitness to perform effectively the duties of the position.

The Job Specification for Correctional Police Officer is the official job description for such State positions within the Civil Service system. According to the specification, a Correctional Police Officer exercises full police powers and acts as a peace officer at all times for the detection, apprehension, arrest, and conviction of offenders against the law. Additionally, a Correctional Police Officer is involved in providing appropriate care and custody of a designated group of inmates. These officers must strictly follow rules, regulations, policies and other operational procedures of that institution. Examples of work include: encouraging inmates toward complete social rehabilitation; patrolling assigned areas and reporting unusual incidents immediately; preventing disturbances and escapes; maintaining discipline in areas where there are groups of inmates; ensuring that institution equipment is maintained and kept clean; inspecting all places of possible egress by inmates; finding weapons on inmates or grounds; noting suspicious persons and conditions and taking appropriate actions; and performing investigations and preparing detailed and cohesive reports.

The specification notes the following as required skills and abilities needed to perform the job: the ability to understand, remember and carry out oral and written directions and to learn quickly from written and verbal explanations; the ability to analyze custodial problems, organize work and develop effective work methods; the ability to recognize significant conditions and take proper actions in accordance with prescribed rules; the ability to perform repetitive work without loss of equanimity, patience or courtesy; the ability to remain calm and decisive in emergency situations and to retain emotional stability; the ability to give clear, accurate and explicit directions; and the ability to prepare clear, accurate and informative reports of significant conditions and actions taken.

The Commission has reviewed the job specification for this title and the duties and abilities encompassed therein and finds that the psychological traits which were identified and supported by test procedures and the behavioral record relate adversely to the appellant's ability to effectively perform the duties of the title. Notably, as set forth above, a Correctional Police Officer must have the ability to remain calm and decisive in emergency situations and retain emotional stability. Dr. Dettle determined that the appellant exhibited poor stress tolerance and

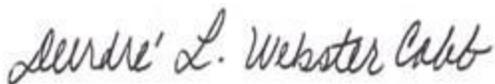
emotional dysregulation, which was exhibited during her interview with the appellant and was supported by psychological test data. Although Dr. Cassidy noted that the appellant's mental health history was unremarkable, Dr. Dettle indicated that the appellant has a history of depression. The appellant confirmed this history to the Panel and provided the Panel with medical documentation of a current diagnosis. Therefore, the Commission does not find Dr. Cassidy's report comprehensive nor sufficiently persuasive to rebut Dr. Dettle's determination. Rather, the preponderance of the appellant's psychological test data, her behavioral record, and her presentation before the Panel supports Dr. Dettle's conclusion that the appellant is psychologically unsuited for the position of Correctional Police Officer. Accordingly, the appellant's appeal is denied.

ORDER

The Commission finds that the appointing authority has met its burden of proof that M.B. is psychologically unfit to perform effectively the duties of a Correctional Police Officer and, therefore, the Commission orders that her name be removed from the subject eligible list.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 12TH DAY OF JUNE, 2019



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